IAP7 Rec'd PCT/PTO 05 SEP 2006

Attorney's Docket No.: 18305-002US1 / 43856.US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Richard Critten, et al.

Art Unit : Unknown

Serial No.: 10/510,403

Examiner: Unknown

Filed

: October 5, 2004

Conf. No.: 6296

Title

: USER AUTHENTICATION FOR COMPUTER SYSTEMS

MAIL STOP PCT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

RENEWED PETITION UNDER 37 CFR 1.47(B)

MECELLA OR In response to the Decision On Petition Under 37 CFR 1.47(b), mailed February 3, 2006, Applicant respectfully requests reconsideration of the previously submitted Petition Under 37 CFR 1.47(b), to allow the patent application to be made on behalf of the non-signing inventors, Richard Critten, James Edward Charlesworth, Andrew Larter, Peter Green and Tracy John Dale. A Petition for a 5-month extension of time and a Petition to Withdraw Notice of Abandonment accompany this response.

MPEP §409.03(b) sets forth requirements (A) through (F) that must be met when filing a petition under 37 C.F.R. §1.47(b). These include providing (A) an oath or declaration, (B) the relationship of the applicant to the inventor, (C) proof that the inventor refuses to execute the application papers or cannot be reached after diligent effort, (D) the last known address of the inventor, (E)(3)a writing evidencing a proprietary interest in the subject matter of the application, and (F) proof that filing of the application is necessary to preserve rights of the parties. Each of these requirements is addressed below.

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September 5, 2006

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Page : 2 of 5

A) Oath or Declaration

A Combined Declaration and Power of Attorney is being submitted herewith. The signing inventor hence makes application for patent on behalf of both himself and the other inventors.

(B) Relationship Of Applicant To Inventors
Inventors Richard Critten, Andrew Larter, and Peter Green
are employees of applicant Armoursoft Limited. Inventors James
Edward Charlesworth and Tracy John Dale are former employees of
applicant Armoursoft Limited.

- (C) The Inventor Cannot Be Reached After Diligent Effort
 In a letter dated 11 October 2005 from applicant's United
 Kingdom representative Mr. Lloyd, he states that "that our
 client has not been able to contact all of the inventors".

 Applicant's representative hereby submits a redacted version of
 his letter as evidence that the inventors cannot be reached
 after diligent effort on the part of the applicant.
 - (D) Last Known Address Of Inventors
 Richard Critten's last known address:

2 Lime Grove,
Bagworth, Coalville,
Leicester LE67 1DT,
United Kingdom

Serial No.: 10/510,403 Filed: October 5, 2004

Page : 3 of 5

James Edward Charlesworth's last known address:

27 Cromarty Drive

Hinckley

Leicester LE10 ORX

United Kingdom

Andrew Larter's last known address:

22 Stevenson Gardens

Cosby

Leicester LE9 1SN

United Kingdom

Peter Green's last known address:

14 Anderson Avenue

Rugby

Warwickshire CV22 5PE

United Kingdom

Tracy John Dale's last known address:

Woodale, Newton Road,

Tollerton

York Y061 1QT

United Kingdom

(E)(3) Evidence of Proprietary Interest

Attached, hereto are copies of United Kingdom Patent Publication GB 2387254 and PCT Patent Publication W003088014 from which the instant application claims priority. These

Serial No.: 10/510,403 Filed: October 5, 2004

Page : 4 of 5

priority documents list the applicant as Armoursoft Ltd. which demonstrates proprietary interest on behalf of the Applicant.

(F) Proof Necessary To Preserve Applicant's Rights In Application

A response to the Notice To File Missing Parts dated March 11, 2005 was required by October 11, 2005. Therefore, Applicant's representative filed a Petition, along with a Response To Notice To File Missing Parts, surcharge fee, and a Five-Month Petition For Extension Of Time, in order to avoid abandonment of the application and preserve its rights therein. Also a response to the Decision on Petition under 37 CFR 1.47(b) is required by September 5, 2006. Therefore, Applicant's representative is filing this Renewed Petition Under 37 CFR 1.47(b), and a Five-Month Petition for Extension of Time in order to avoid abandonment of the application and preserve its rights therein.

In view of the foregoing, it is submitted that Applicant has met the requirements of 37 C.F.R. § 1.47. It is therefore respectfully requested that this Petition be granted. Such action is respectfully requested at the earliest convenience of the Patent Office.

09/11/2006 MKAYPAGH 00000140 10510403

01 FC:2255 1080.00 OP

Applicant: Richard Critten, et al.

Serial No.: 10/510,403 Filed: October 5, 2004

Page:

: 5 of 5

No additional petition fee is believed to be due. Please apply any other charges or credits to Deposit Account No. 06 1050.

Respectfully submitted,

Attorney's Docket No.: 18305-002US1 / 43856.US01

Date:September 5, 2006

Soutt C. Harris Reg. No. 32,030

Fish & Richardson P.C. 12390 El Camino Real

San Diego, California 92130 Telephone: (858) 678-5070 Facsimile: (858) 678-5099

Attorney's Docket No.: Client's Ref. No.: 43856

COMBINED DECLARATION AND POWER OF ATTORNEY

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	Ö	was described and	claimed in PCT Internal and as amended under	nonal Application No. PCT Article 19 on		
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Title 3	I ac 7, Çod	knowledge the duty lie of Federal Regular	to disclose all informatio tions, §1.56.	imism ed or word I pro	l to patentability in accord	ance with
applica	l he	reby claim the banes) listed below:	it under Title 35, United	States Code, §119(e)(1) of any United States pro	visional
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	Cour	<u> </u>	Application No.	***************************************		-

Attorney's Docket No.: .

Client's Ref. No.: 43856

Combined Declaration and Power of Attorney Page 2 of 2 Pages

I hereby appoint the Practitioners at Customer Number 20985 to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Direct all correspondence and all telephone calls to Customer Number:

Date:

I bereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the volidity of the application or any patents issued thereon.

Full Name of Inventor.

TRACY JOH

Inventor's Signature:

Residence Address:

Citizenship: Post Office Address: TOLLERTON

GREAT BRITISH

WOODALE,

NEWTON ROAD,

TOLLERTON,

YORK, YO61 1QT

Chartered Patent Attorneys European Patent Attorneys Trade Mark Attorneys European Trade Mark Attorneys

Telephone +44 (0)20 7242 0901 Fax +44 (0)20 7242 3290/0286 E-mail r&g@reddie.co.uk Website www.reddie.co.uk

> Scott C Harris Esq Fish & Richardson PC 12390 El Camino Real San Diego California 92130 United States of America

Reddie & Grose

16 Theobalds Road London WC1X 8PL

RECEIVED

OCT 18 2005

FISH & RICHARDSON, P.C. SAN DIEGO FIRMATION Richard C. Abnett M.A.
Paul A. Brereton M.A.
Nicholas S. Marlow B.Sc.
Linda J. Harland B.Sc.
Jonathan M. Davies D.Phil.
Patrick A.D. Lloyd B.Sc.
Aidan J. Robson M.Sc.
Helen R. Wakerley M.A.
Jan M. Vleck M.A.
Simon J.N. Goodman Ph.D.
Ian M. Loveless M.A.
Philip I. Bates Ph.D.

Associates
David S. Jackson B.Sc.
Julie K. Richardson Ph.D.
Arthur Andrews Dip.EE
James Durham B.Sc.
Neil Thornton Ph.D.
Michael A. Roberts Ph.D.
Nick Reeve M.Sci
Julie E. Millburn D.Phil.

Consultants Keith E. Geering B.A. F.A.B. Valentine M.A.

By Facsimile and Mail confirmation (001 858 678 5099)

URGENT: DEADLINE 11 OCTOBER 2005

11 October 2005

Dear Scott

US Patent Application 10/510,403 Of Richard Critten, et al Your ref: 18305-002US1 Our File: P/43856.US01/PADL/RWP

After many months of chasing our client regarding the missing Power of Authority and Assignment forms (due today), they have finally made contact. They have been having difficulty obtaining the missing PoA and Assignment forms from two of the five inventors.

The facts are that two out of the five inventors have left the company and are not replying to any of the requests to sign the forms. Our client has advised us that the requests have so far only been carried out using emails.

Following your conversation with Rhyan Probert, please file a petition at the USPTO alleging that our client has not been able to contact all of the inventors.

I shall contact my client again and request the evidence as well as the signed forms. I shall forward it to you as soon as I have the papers to hand.

czm

Please confirm receipt of this letter by return facsimile.

Pours sincerely

Patrick A D Lloyd
patrick.lloyd@reddie.co.uk

Attorney's Docket No.: 18305-002US1 / 43856.US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Richard Critten, et al.

Art Unit :

Unknown

Serial No.: 10/510,403

Examiner:

Unknown

Filed : October 5, 2004

Conf. No.:

6296

Title

: USER AUTHENTICATION FOR COMPUTER SYSTEMS

Mail Stop PCT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

PETITION FOR FIVE-MONTH EXTENSION OF TIME

Pursuant to 37 CFR §1.136, applicants hereby petition that the period for response to the action dated February 3, 2006, be extended for five months to and including September 5, 2006.

Enclosed is a check for \$1,080 for the required fee. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: September 5, 2006

Scott C. Harris Req. No. 32,030

Fish & Richardson P.C. PTO Customer No. 20985 12390 El Camino Real San Diego, California 92130 Telephone: (858) 678-5070

Facsimile: (858) 678-5099

5-month extension.doc

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EV 740119166 US

September 5, 2006

Date of Deposit

Attorney's Docket No.: 18305-002US1 / 43856.US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Richard Critten, et al. Art Unit: Unknown Serial No.: 10/510,403 Examiner: Unknown

Filed : October 5, 2004 Conf. No. : 6296

Title : USER AUTHENTICATION FOR COMPUTER SYSTEMS

MAIL STOP PCT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

PETITION TO WITHDRAW NOTICE OF ABANDONMENT

Under 37 CFR §§1.8(b) and 1.181, applicant hereby petitions to withdraw the Notice of Abandonment mailed July 17, 2006 (copy enclosed). The application was abandoned under 37 CFR §1.135 for failure to respond to the Notification of Missing Requirements mailed March 11, 2005.

The undersigned, applicant's attorney of record, first became aware of the abandonment on July 21, 2006, upon receipt of the Notice of Abandonment and submits that this petition to withdraw the Notice is being promptly submitted as required by 37 CFR §1.8(b)(1).

The following documents are submitted under 37 CFR §1.8(b)(2 and 3) as proof that a Response was timely filed on October 11, 2005:

- 1. A copy of the response to the Notification of Missing Requirements, including an executed certificate of mailing signed by Christopher Wood on October 11, 2005;
- 2. A copy of the Petition for Extension of Time, including an executed certificate of mailing signed by Christopher Wood on October 11, 2005, which extended the period

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EV 740119166 US

September 5, 2006

Serial No.: 10/510,403 Filed: October 5, 2004

Page : 2 of 2

for responding to the Notification of Missing Requirements for five (5) months, to and including October 11, 2005;

- 3. Copies of the checks dated October 11, 2005 and postcard dated October 11, 2005 that were included with the response and Petition for Extension of Time; and
- 4. A copy of the date-stamped Express Mail receipt for EV 471534891 US confirming that the Response to Notification of Missing Requirements was mailed on October 11,2005.

Applicant submits that the response to the Response to Notice of Missing Requirements was timely filed and requests that the Notice of Abandonment be withdrawn.

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: September 5, 2006

Scott C. Harris Req. No. 32,030

Fish & Richardson P.C. 12390 El Camino Real San Diego, California 92130 Telephone: (858) 678-5070

Facsimile: (858) 678-5099

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Richard Critten, et al.

Serial No.: 10/510,403

Filed: October 5, 2004

Title : USER AUTHENTICATION FOR COMPUTER SYSTEMS

Mail Stop PCT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Responsive to the Notification of Missing Requirements under 35 U.S.C. 371 mailed March 11, 2005 (a copy of which is enclosed), applicants as a small entity submit herewith the following:

- Payment of the surcharge of \$65 for late filing of the basic filing fee and/or declaration;
- A check in the total amount of \$65 is attached;
- A Rule 47 Petition (2 pages);
- A check in the total amount of \$130 is attached;
- A Petition for 5-Month Extension of Time (1 page); and
- A check in the total amount of \$1,080 is attached.

CERTIFICATE OF MAILING BY EXPRESS MAIL
Express Mail Label No. <u>EV471534891US</u>
October 11, 2005
Date of Deposit

Attorney's cket No.:18305-002US1

Applicant : Richard Charten, et al.

Serial No.: 10/510,403

Filed : October 5, 2004

It is understood that this perfects the application and no additional papers or filing fees are required. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: October 11, 2005

Scott C. Harris Reg. No. 32,030

Fish & Richardson P.C. PTO Customer No. 20985 12390 El Camino Real San Diego, California 92130 Telephone: (858) 678-5070 Facsimile: (858) 678-5099





United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address COMMISSIONER FOR PATENTS

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY.	DOCKET NO.
10/510,403	Richard Critten	SD-Amour	SCH-1005-2-jhp
		INTERNATIONAL APPI	LICATION NO.
	DECEMEN	PCT/GB03/0)1493
20985	RECEIVED r	I.A. FILING DATE	PRIORITY DATE
FISH & RICHARDSON, PC		04/04/2003	04/05/2002

FISH & RICHARDSON, PC 12390 EL CAMINO REAL SAN DIEGO, CA 92130-2081

MAR 1 7 2005

FISH & RICHARDSON, P.C. SAN DIEGO

CONFIRMATION NO. 6296 1 FORMALITIES LETTER

OC000000015424578

Date Mailed: 03/11/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 10/05/2004
- Copy of the International Search Report filed on 10/05/2004
- Preliminary Amendments filed on 10/05/2004
- Request for Immediate Examination filed on 10/05/2004;
- U.S. Basic National Fees filed on 10/05/2004
- Priority Documents filed on 10/05/2004

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LASE DATE:	3/11/05	Ì
DUE DATE:	5/11/08	
DEADLINE:	10/11/05	
INITIALS:	cui.	
RECORD:		

The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

) ਹਾਜ਼ਮਾੜ Secretary 5-11- ਨੇ ਡ 1041-05

\$65 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filling a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/510,403	PCT/GB03/01493	SD-Amour-SCH-1005-2-jhp

FORM PCT/DO/EO/905 (371 Formalities Notice)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Richard Critten, et al.

Serial No.: 10/510,403

Filed : October 5, 2004

Title : USER AUTHENTICATION FOR COMPUTER SYSTEMS

Mail Stop PCT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RULE 47 PETITION

Sir:

Kindly accept the instant application under rule 47. The inventors have refused to sign and/or provide the signed oath/declaration for the instant application.

Two of the five inventors in this case have left the employ of the assignee, and have not replied to any of the requests to sign the forms. Therefore, these inventors have either become unable to be found or refuse to sign.

The last known address of the nonsigning inventors is: 1st Floor, Unit 1, Warren Court, Feldspar Close, Warren Park Way, Endersby, Leicester, UNITED KINGDOM.

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Express Mail Label No. <u>EV471534891US</u>
October 11, 2005
Date of Deposit

Attorney's cket No.:18305-002US1

Applicant : Richard Charten, et al.

Serial No.: 10/510,403

Filed : October 5, 2004

The remaining three inventors have not provided the signed oath/declaration for the instant application, thus the assignee is unable to produce the correct forms.

Therefore, the inventors have clearly refused to sign and/or provide the signed oath/declaration for the instant application. Kindly accept this application under rule 47. The rule 47 petition fee of \$130.00 is attached. A notice that the application has been accepted is respectfully requested.

Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: October 11, 2005

Scott C. Harris Reg. No. 32,030

Fish & Richardson P.C.
PTO Customer No. 20985
12390 El Camino Real
San Diego, California 92130
Telephone: (858) 678-5070
Facsimile: (858) 678-5099

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Richard Critten, et al.

Serial No.: 10/510,403

Filed

: October 5, 2004

Title

: USER AUTHENTICATION FOR COMPUTER SYSTEMS

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Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

PETITION FOR FIVE-MONTH EXTENSION OF TIME

Pursuant to 37 CFR §1.136, applicants hereby petition that the period for response to the action dated March 11, 2005, be extended for five months to and including October 11, 2005.

Enclosed is a check for \$1,080 for the required fee.

Please apply any other charges or credits to Deposit Account

No. 06-1050.

Respectfully submitted,

Date: October 11, 2005

Scott C. Harris Reg. No. 32,030

Fish & Richardson P.C. PTO Customer No. 20985 12390 El Camino Real San Diego, California 92130 Telephone: (858) 678-5070 Facsimile: (858) 678-5099

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CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EV471534891US

October 11, 2005

Date of Deposit

Attorney's Docket No. 18305-002US1 EV471534891US October 11, 2005 Application No. 10/510,403 Pitle of the Invention USER AUTHENTICATION FOR COMPUTER SYSTEMS Applicant Applicant Pichard Critten, et al.	For PTO Use Only Do Not Mark in This Area	
Client Reference No. 43856.US01 Enclosures •Response to Notification of Missing Requirements (2 pages) •Notification of Missing Requirements (2 pages) •Notification of Missing Requirements (2 pages) •Check in the amount of \$65.00 •Rule 47 Petition (2 pages) •Check in the amount of \$130.00 •Petition for 5-Month Extension of Time (1 page) •Check in the amount of \$1,080.00		





225 Franklin Street Boston, Massachusetts 02110-2804

c198178

Sixty five dollars

DOLLARS

AMOUNT **COMMISSIONER OF PATENTS AND TRADEMARKS** 10/11/05 \$65.00

18305-002US1 jhp

FISH & RICHARDSON P.C.

52-153/112



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* # 198178# #Oll201539# 80 071

FISH & RICHARDSON P.C.

225 Franklin Street Boston, Massachusetts 02110-2804

One hundred thirty dollars

DOLLARS

TO THE ORDER OF AMOUNT COMMISSIONER OF PATENTS AND TRADEMARKS 10/11/05 \$130.00

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FISH & RICHARDSON P.C.

52-153/112



Fleet Maine, N.A. www.fleet.com South Portland, ME

#198180# #011201539# BO 071 123#

FR Fish & Richardson p.c.

225 Franklin Street Boston, Massachusetts 02110-2804

One thousand eighty dollars

c198179

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TO THE ORDER OF

COMMISSIONER OF PATENTS AND TRADEMARKS

10/11/05

AMOUNT \$1080.00

18305-002US1 jhp

FISH & RICHARDSON P.C.

52-153/112



DATE

PATENT

Attorney's Docket No.: 18305-002US1

IN THE UNITED STATES RECEIVING OFFICE

Applicant:

Richard Critten, et al.

Serial No.:

10/510,403

Filed:

October 5, 2004

For:

USER AUTHENTICATION FOR COMPUTER SYSTEMS

Mail Stop PCT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

DECLARATION OF MAILING BY "EXPRESS MAIL"

Christopher Wood

declares as follows:

1. I reside at:

564 Barham Dr. #849 San Marcos, (A 92078

and am an employee of:

Fish & Richardson P.C. 12390 El Camino Real San Diego, California 92130

- 2. On October 11, 2005, I deposited in the mail, "Express Mail Post Office to Addressee" service of the United States Postal Service, the contents of the envelope for which "Express Mail" receipt No. EV471534891US was issued addressed to MAIL STOP PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
 - 3. Attached hereto is a true copy of the "Express Mail" receipt No. EV471534891US.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the above-identified application or any patents issued thereon.

Date: October 11, 2005

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